IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 28860 of 2007(I)

PETITIONER:

RAJU JOSEPHS/O. JOSEPH,AGED 45 YEARS,
RESIDING AT PADIPURAYIDATHIL HOUSE,
CHITTARIKKAL.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:
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1. THE REGIONAL TRANSPORT AUTHORITY,
KASARGODE,REPRESENTED BY ITS SECRETARY,
KASARGODE.

2. THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
KASARGODE.

BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 28860/2007 I

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REGULAR PERMIT ISSUED TO KL-14/C/6323 VALID 2/7/2007.

EXT.P2. COPY OF THE COMMUNICATION DT. 14/09/07.

EXT.P3. COPY OF THE RELEVANT EXTRACT OF THE RC BOOK OF KL-14/C/6323.

EXT.P4. COPY OF THE JUDGMENT DT. 21/10/2004 IN WA NO. 2056/2003.

RESPONDENT'S EXHIBITS **NIL.**

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ANTONY DOMINIC, J.

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W.P.(C) No. 28860 OF 2007 I
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Dated this the 23rd October, 2007

J U D G M E N T

Ext. P2 is a communication from the 2nd respondent requesting the petitioner to replace the light motor vehicle stage carriage with a later model medium motor vehicle stage carriage on or before the expiry date of the then existing regular permit. Presently the petitioner submits that this very issue has been directed to be considered by the Government as per the judgment of a Division Bench of this Court in W.A. No. 2056 of 2003 and connected cases. In that judgment it was ordered that the Government will examine the matter and take a decision which will be applicable throughout the State. It was also directedjijk that the R.T.A shall keep in abeyance orders insisting replacement of vehicles. It is submitted that even now orders have not been passed by the Government in terms of the Division Bench judgment.

2. Taking into account the submissions made, I dispose of this writ petition directing the 2nd

respondent to grant permit to the petitiner's vehicle if the vehicle is otherwise in order. However, it is clarified that once the Government renders orders as directed by the Division Bench of this Court, petitioner will be permitted to operate only in terms of such order.

ANTONY DOMINIC
JUDGE

jan/-